

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

EDMOUND CALLOWAY,

Plaintiff,

v.

**COMMONWEALTH OF
PENNSYLVANIA, ET AL.,**

Defendants.

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CIVIL ACTION

NO. 10-5660

ORDER

AND NOW, this ____ day of April, 2011, upon careful and independent consideration of Petitioner's Writ of Habeas Corpus (Doc. 1), Petitioner's Motion to Stay (Doc. 10), the Report and Recommendation of United States Magistrate Linda K. Caracappa (Doc. 11) and Petitioner's Objections thereto (Doc.12), **IT IS HEREBY ORDERED** that the Report and Recommendation is **APPROVED and ADOPTED**.

IT IS FURTHER ORDERED that

1. The Petition For Writ of Habeas Corpus is **DENIED WITH PREJUDICE**.
2. The Motion to Stay (Doc. 10) is **DENIED WITH PREJUDICE**
3. There is no probable cause to issue a certificate of appealability.

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case as **CLOSED** for statistical purposes.

BY THE COURT:

/s/ Petrese B. Tucker

Hon. Petrese B. Tucker, U.S.D.J.